

# Notice of Allowability

Application No.

10/774,316

Examiner

Monica A. Huson

Applicant(s)

SMITH ET AL.

Art Unit

1732

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 5 July 2007.
2. ☒ The allowed claim(s) is/are 2,10,13,18-37.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **DETAILED ACTION**

This office action is in response to the Amendment filed 5 July 2007.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steve Timmons on 20 July 2007.

The application has been amended as follows:

Claim 2 has been replaced with the following claim (step (d) added):

A process of manufacturing a blow molded article comprising:

- (a) blow molding a first composition comprising a first polyethylene into a shaped article;
- (b) perceiving parison cuffing defects in said process or said blow molded article;
- (c) providing to said process a second polyethylene having a lower melt index than said first polyethylene, measured according to ASTM D-1238, and having incorporated therein a small amount of a low molecular weight polyethylene glycol; and
- (d) blow molding the composition comprising said second polyethylene into an article.

Claim 10 has been replaced with the following claim (step (d) added):

A process of manufacturing a blow molded article comprising:

- (a) blow molding a first composition comprising a first polyethylene into a shaped article;
- (b) perceiving parison cuffing defects in said process or said blow molded article;
- (c) selecting at least one second polyethylene from HDPE homopolymers having a melt index of from about 0.25 to about 0.80 grams/10 minutes measured according to ASTM D-1238, and having incorporated therein a small amount of a low molecular weight polyethylene glycol and an effective amount of an antioxidant; and
- (d) blow molding the composition comprising said second polyethylene into an article.

### ***Allowable Subject Matter***

Claims 2, 10, 13, and 18-37 are allowed.

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The following is an examiner's statement of reasons for allowance: Regarding claims 2, 10, and 18, and all respective dependent claims, the prior art of record neither teaches nor suggests the claimed method for manufacturing a blow molded article including the particular combination of blow molding a first polyethylene composition, analyzing defects in the molding process or article, providing a second polyethylene having a lower melt index than the first polyethylene to the process, in addition to polyethylene glycol, and an antioxidant (claim 18), and then blow molding the new composition.

Regarding Claim 13 and all respective independent claims, the prior art of record neither teaches nor suggests the claimed method of reducing cuffing in the blow molding of a composition comprising HDPE especially blow molding a new composition relative to a composition of HDPE, when the new composition does not contain a fluorocarbon polymer, phosphate, or stearate.

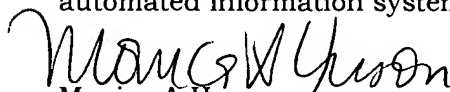
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monica A. Huson whose telephone number is 571-272-1198. The examiner can normally be reached on Monday-Friday 7:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Johnson can be reached on 571-272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Monica A Huson

July 22, 2007